

Application No. 10/682,277  
Responsive to Office action of February 4, 2005

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**INTERVIEW SUMMARY UNDER 37 C.F.R. §1.133 AND MPEP §713.04**

A telephonic interview in the above-referenced case was conducted on May 3, 2005, with Examiner Ho, Trueman H. Denny III, and Morgan Malino. The Office Action mailed on February 4, 2005 was discussed. Specifically, the rejections of independent **Claims 1, 38 and 41** with the intent to place the claims in better condition for allowance or appeal. In considering the proposed claims (now being presented) the Examiner indicated that a motivation to combine the references in order to arrive at the Applicant's invention was not present in the prior art. The Applicants wish to sincerely thank the Examiner for his time and attention in this case.

**REMARKS**

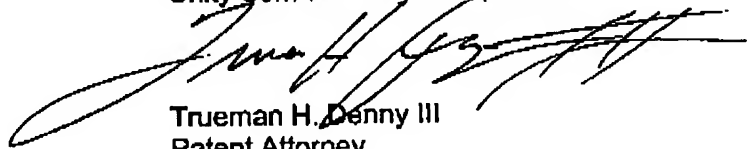
The Applicant notes with appreciation that the Examiner has allowed **Claims 27 - 28**. The status of the claims is as follows: **Claims 1 - 43** are pending; Independent **Claims 1, 38, and 41** have been amended herein to recite that an electrode can comprise a conductive oxide that functions as a seed layer; and **Claims 27 and 28** were amended to correct a typographical error thereby providing a proper antecedent basis for "*the multi-resistive state element*". No new matter was introduced in amending the claims.

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Based on the foregoing, all claims pending in the application are believed to be allowable and a Notice of Allowance is respectfully requested. If the Examiner has any questions or comments regarding this amendment, the Examiner is respectfully requested to contact the undersigned.

Respectfully submitted,  
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